

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSEPH DANIEL SCHMIDT,

Case No. CR23-158 JCC

DETENTION ORDER

Mr. Schmidt is charged with Attempt to Deliver National Defense Information, 18 U.S.C. § 793(e) and Retention of National Defense Information, 18 U.S.C. § 793(e). The Court held a detention hearing on October 30, 2023, pursuant to 18 U.S.C. § 3142(f), and based upon the reasons for detention stated in the record and as hereafter set forth, finds:

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. The Government is entitled to a detention hearing pursuant to 18 U.S.C. § 3142(f)(2). The court finds there is sufficient evidence that Mr. Schmidt is a serious risk of flight due to the ties he has with a foreign country, including a wife and child in the foreign country as well as an apartment.
2. Mr. Schmidt lacks ties with the United States. Although his extended family lives

1 in Arizona, it appears Mr. Schmidt has not had contact with this family in over
2 three years.

- 3 3. Mr. Schmidt poses a danger to the community as the allegations are that he was
4 willing to share national secrets with a foreign government. The secret
5 information is not in documents but rather Mr. Schmidt's memory and the court
6 cannot mitigate the danger that he would share this information with foreign
7 governments.
- 8 4. Mr. Schmidt is alleged to have admitted to law enforcement that he engaged in
9 the conduct leading to the charges in the indictment.
- 10 5. Mr. Schmidt poses a risk of nonappearance due to his foreign travel. Mr. Schmidt
11 poses a risk of danger due to the community due to the nature of the offense
12 charged. Based on these findings, and for the reasons stated on the record, there
13 does not appear to be any condition or combination of conditions that will
14 reasonably assure Mr. Schmidt's appearance at future court hearings while
15 addressing the danger to other persons or the community.

16 IT IS THEREFORE ORDERED:

- 17 (1) Mr. Schmidt shall be detained pending trial, and committed to the custody of the
18 Attorney General for confinement in a correction facility separate, to the extent
19 practicable, from persons awaiting or serving sentences or being held in custody
20 pending appeal;
- 21 (2) Mr. Schmidt shall be afforded reasonable opportunity for private consultation
22 with counsel;
- 23

- 1 (3) On order of a court of the United States or on request of an attorney for the
2 government, the person in charge of the corrections facility in which Mr. Schmidt
3 is confined shall deliver Mr. Schmidt to a United States Marshal for the purpose
4 of an appearance in connection with a court proceeding; and
- 5 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
6 counsel for Mr. Schmidt, to the United States Marshal, and to the United States
7 Pretrial Services Officer.

8 DATED this _30th_ day of October, 2023.

9
10 
11 MICHELLE L. PETERSON
12 United States Magistrate Judge
13
14
15
16
17
18
19
20
21
22
23